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# HOUSE BILL No. 1195

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 20-10.1-2.

**Synopsis:** School instructional days. Provides that a public school having a longer school day than required by statute may conduct specified activities other than student instruction during up to three full days of each 180 day school year through June 30, 2006.

**Effective:** July 1, 2004.

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January 13, 2004, read first time and referred to Committee on Education.

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Introduced

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

## HOUSE BILL No. 1195

A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 20-10.1-2-1 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 1. (a) A school year is  
3 the period of time beginning after June 30 of each year and ending  
4 before July 1 of the following year, except when a different period is  
5 specified for a particular purpose.  
6 (b) A student instructional day in grades 1 through 6 consists of a  
7 minimum of five (5) hours of instructional time. A student instructional  
8 day in grades 7 through 12 consists of a minimum of six (6) hours of  
9 instructional time. For purposes of this section, instructional time is  
10 time in which students are participating in an approved course,  
11 curriculum, or educationally related activity under the direction of a  
12 teacher, including a reasonable amount of passing time between  
13 classes. However, instructional time does not include lunch or recess.  
14 (c) ~~For the 1987-88 school year, each school corporation shall~~  
15 ~~conduct at least one hundred seventy-five (175) student instructional~~  
16 ~~days. For the 1988-89 school year and each school year after that,~~  
17 **Subject to section 1.1 of this chapter, each school corporation shall**

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conduct at least one hundred eighty (180) student instructional days. ~~No~~ **Not** later than June 15 of each school year, the superintendent of each school corporation shall certify to the department the number of student instructional days conducted during that school year. **The certification of days must include information pertaining to the activities conducted on the days described in section 1.1 of this chapter.**

(d) If a school corporation fails to conduct the minimum number of student instructional days during a school year as required under subsection (c), the department shall reduce the August tuition support distribution to that school corporation by an amount determined as follows:

(1) For the 1987-88 school year, the amount determined under STEP THREE of the following formula:

STEP ONE: Divide the amount of the total tuition support allocated to the school corporation for the 1987-88 school year by one hundred seventy-five (175):

STEP TWO: Subtract the number of student instructional days that the school corporation conducted from one hundred seventy-five (175):

STEP THREE: Multiply the amount determined under STEP ONE by the amount determined under STEP TWO:

(2) For the 1988-89 school year and each school year after that, the amount determined under STEP NINE of the following formula:

STEP ONE: Determine the remainder of:

(A) (1) the amount of the total tuition support allocated to the school corporation for the particular school year; minus

(B) (2) that part of the total tuition support allocated to the school corporation for that school year with respect to student instructional days one hundred seventy-six (176) through one hundred eighty (180).

STEP TWO: Subtract the number of student instructional days that the school corporation conducted from one hundred eighty (180).

STEP THREE: Determine the lesser of five (5) or the remainder determined under STEP TWO.

STEP FOUR: Divide the amount subtracted under STEP ONE(B) ONE(2) by five (5).

STEP FIVE: Multiply the quotient determined under STEP FOUR by the number determined under STEP THREE.

STEP SIX: Subtract the number determined under STEP THREE

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from the remainder determined under STEP TWO.

STEP SEVEN: Divide the remainder determined under STEP ONE by one hundred seventy-five (175).

STEP EIGHT: Multiply the quotient determined under STEP SEVEN by the remainder determined under STEP SIX.

STEP NINE: Add the product determined under STEP FIVE to the product determined under STEP EIGHT.

(e) The department may grant a waiver of the penalty imposed under subsection (d) for a particular number of ~~cancelled~~ **canceled** student instructional days if:

(1) the school corporation applies to the department for a waiver of the penalty imposed under subsection (d) for a specific number of ~~cancelled~~ **canceled** student instructional days; and

(2) each of the particular number of student instructional days requested to be waived under this subsection was ~~cancelled~~ **canceled** due to extraordinary circumstances.

(f) The department shall develop guidelines for school corporations to apply for a waiver under subsection (e).

SECTION 2. IC 20-10.1-2-1.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: **Sec. 1.1. (a) This section applies to a public school that exceeds the student instructional day requirement described in section 1(b) of this chapter in a manner so that each instructional day is comprised of at least:**

(1) five (5) hours and eighteen (18) minutes for grades 1 through 6; and

(2) six (6) hours and twenty-one (21) minutes for grades 7 through 12.

(b) A school described in subsection (a) may use the equivalent of up to three (3) of the student instructional days described in section 1(c) of this chapter, including full days, to conduct one (1) or more of the following instead of student instruction:

(1) Activities associated with the strategic and continuous school improvement and achievement plan under IC 20-10.2-3.

(2) Professional development activities required under IC 20-1-1-6.5.

(3) Parental involvement initiatives.

(4) Community partnership activities.

(5) Standards, curriculum, instruction, and assessment alignment.

(6) Any other activity associated with the implementation of

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1           **IC 20-1-1-6.3, IC 20-1-1-6.5, or IC 20-10.2.**  
2           **(c) This section expires June 30, 2006.**

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